

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Rebecca R. Pallmeyer	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 2615	DATE	July 9, 2008
CASE TITLE	Archie Brown (#2006-0068962) v. Clines, et al.		

**DOCKET ENTRY TEXT:**

Plaintiff's motion for leave to file *in forma pauperis* [3] is granted. The initial partial filing fee is waived. The court orders the trust fund officer at Cook County Jail to collect monthly payments from plaintiff's trust fund account as stated below. The clerk shall send a copy of this order to Elizabeth Hudson, Supervisor of Inmate Trust Fund Accounts, Cook County Dept. of Corrections Administrative Office, Division V, 2700 S. California, Chicago, IL 60608. However, summonses shall not issue at this time. Plaintiff's motion for appointment of counsel [4] is granted. The Court appoints Daniel G. Hildebrand of Mayer Brown Rowe & Maw LLP, 71 S. Wacker Dr., Chicago, IL, 60606, (312) 701-7787, to represent Plaintiff in accordance with counsel's trial bar obligations under the District Court's Local Rules 83.11(g) and 83.37. Plaintiff's complaint is dismissed without prejudice to appointed counsel filing an amended complaint within 60 days if the amended complaint comports with appointed counsel's obligations under Rule 11 of the Federal Rules of Civil Procedure.

[For further details see text below.]

Docketing to mail notices.

**STATEMENT**

Plaintiff, Archie Brown, a detainee at Cook County Jail, seeks to bring this suit *in forma pauperis*. According to the statement submitted with his *in forma pauperis* application, plaintiff has neither available funds nor means to pay the initial partial filing fee required by 28 U.S.C. § 1915(b)(1). As 28 U.S.C. § 1915(b)(4) requires that a prisoner not be prohibited from bringing suit because of inability to pay, the initial partial filing fee is waived. The trust fund officer at the correctional facility where plaintiff is confined is authorized to collect monthly payments from plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from plaintiff's trust fund account shall be forwarded to the clerk of court each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, IL 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify plaintiff's name and the case number assigned to this action.

As it now stands, Plaintiff's complaint is not sufficient because the Defendants alleged to have violated Plaintiff's constitutional rights are not specifically identified (Officer #s 1, 2, 3, and 5). Because of the serious nature of these allegations, the Court appoints Daniel G. Hildebrand of Mayer Brown Rowe & Maw LLP, 71 S. Wacker Dr., Chicago, IL, 60606, (312) 701-7787, to represent Plaintiff in accordance with counsel's trial bar obligations under the District Court's Local Rules 83.11(g) and 83.37.

After investigation, appointed counsel should file an amended complaint within 60 days if such amendment comports with counsel's obligations under Rule 11 of the Federal Rules of Civil Procedure. If counsel is unable to file an amended complaint, he should so inform the Court.

JJD